

THURSTON COUNTY NEBRASKA

THREE YEAR JUVENILE SERVICES COMPREHENSIVE PLAN January 1, 2009 – December 31, 2011

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COMMUNITY TEAM

The Thurston County Juvenile Community Team was formed by persons who express interest in our Diversion Program and show their continued support by willingly volunteering to help with our Diversion Activities. Our team is currently in transition with the formalization to happen in the next few months. During this time we as a group have met informally to discuss ongoing plans and programs that can be made available for the Youth and Communities of Thurston County. Formal meetings will be scheduled once every quarter and informal meetings will be held on a monthly basis. Shelly Perez, Thurston County Diversion Coordinator is the Chair Person for the Community Team, and Robin Christiansen is the Fiscal Officer for the Team. Tammy Maul Bodlak is the Thurston County Attorney and also is the person that gives final approval for how funds are spent.

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Appendix A

Community Planning Tool

Thurston County is comprised of seven communities with two reservations and has an estimated population of 7,171 with approximately 2,862 of them being juveniles. In assessment of the data it has shown there is not an over abundance of arrest and long term detentions, however, there is a definite need for the Diversion Program and Mentoring programs to continue on in this County as well as other activities developing to help our juveniles of this County.

System Point: Arrest/Citation

Party Responsible: Police/Law Enforcement

Statute Reference: NRS 43-247 (1), (2), (4)

Decision: Whether an information report should be filed, or what offense, if any, with which juvenile should be cited or arrested.

Formal Determining Factors <ul style="list-style-type: none">A. Sufficient factual basis to believe offense was committed.B. Underlying support for particular offense.	Informal Determining Factors <ul style="list-style-type: none">A. Officer's Inclination/PatienceB. Degree to which parent or service provider pushes the issueC. Youth's prior incidences with Law Enforcement.D. Consultations with County Attorney
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Decision: Whether to cite or arrest Juvenile for Juvenile or Adult Offense.

Formal Determining Factors <ul style="list-style-type: none">A. Seriousness of OffenseB. Is there a warrant?	Informal Determining Factors <ul style="list-style-type: none">A. Degree to which juvenile cooperates with Officer.B. Victims DesireC. Is the youth already in the HHS or juvenile system.D. Frequency of contact with Law Enforcement and nature and severity of those contacts.
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Decision: Whether to take juvenile into custody or to cite and release. (NRS 43-248 (1), (2); 43-250 (1), (2),(3)).

Formal Determining Factors	Informal Determining Factors <ul style="list-style-type: none">A. Immediate risk to juvenileB. Immediate/short term risk to publicC. Seriousness of perceived offenseD. Extent to which parent or other responsible adult available to take responsibility or juvenile.E. Is there a warrant?F. Availability of pre-adjudication detention options?
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Notes: Thurston County Diversion has a Mentoring program in place, continued participation in the parades in Thurston County, and is in the beginning stages of our family fun nights, which consists of movies in the park and activities for parents and juveniles prior to the movies beginning. Even though we feel we have made progress with our program, we would like to increase the progress and decrease the situations that

may occur with the juveniles. Even though our Law Enforcement Officers have built trust with some of the juveniles in the County, we would like to increase that trust, and have more juveniles feeling comfortable about speaking to Law Enforcement to help them with their issues and concerns. We are looking at other activities to help with this. For instance: getting more involved with the schools, sponsoring field trips for the juveniles with Law Enforcement. Law Enforcement discusses the incident with the County Attorney and the County Attorney decides if the juvenile can qualify for Diversion, depending on the severity of the crime and if they have participated on Diversion before and for what reason. As it is right now, depending on the severity of the crime, each juvenile can enroll on diversion twice but not for the same incident.

System Point: Initial Detention

Party Responsible: State of Nebraska Probation

Statute Reference: NRS 43-250 (3), 43-260, 43-260.01

Decision: Whether a juvenile should be detained or released.

Formal Determining Factors <ul style="list-style-type: none">A. Risk assessment outcomeB. Accessibility of placement options:<ul style="list-style-type: none">1. Parents/Guardians2. Emergency Shelter3. Staff Secure Facility4. Secure Detention Facility	Informal Determining Factors <ul style="list-style-type: none">A. Intake Process: See whether the juvenile can be released to a parent or responsible adult. If a felony charge more than likely will detain. Need information from Officers. If juvenile is under the influence of alcohol, it is very difficult to get placed in juvenile detention. If the juvenile is detached they are sent to Madison Detention Facility. Staff secure and secure detention is determined on the behavior of the juvenile and the offense.
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System Point: Charge Juvenile

Party Responsible: County Attorney

Statute Reference: NRS 43-274 (1), 43-275, & 43-276

Decision: Whether to prosecute juvenile.

<p>Formal Determining Factors</p> <ul style="list-style-type: none">A. Likelihood of successful prosecutionB. Factors under NRS 43-276<ul style="list-style-type: none">1. Type of treatment to which juvenile would most benefit from2. Evidence that offense was violent, aggressive, or premeditated3. Motivation for commission of offense.4. Age of juvenile and co offenders5. Previous offense history, especially patterns of prior violence or antisocial behavior6. Juvenile's sophistication and maturity7. Juvenile's prior contacts with Law Enforcement and the Courts.8. Whether there are facilities particularly available to the juvenile court for the treatment and rehabilitation of the juvenile.9. Whether best interests of juvenile and public safety dictate supervision extending beyond his or her minority.10. Victim's inclination to participate in mediation.11. Such other matters as the County Attorney deems relevant to his or her decision.	<p>Informal Determining Factors</p> <ul style="list-style-type: none">A. Diversion eligibility and enrollment/completion. Criminal History and likelihood of successful prosecution.
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Notes: The County Attorney takes much consideration into the victim's, Officers and collateral party input.

Decision: Whether youth should be prosecuted as juvenile or adult.

Formal Determining Factors A. Seriousness of Offense	Informal Determining Factors A. List of statutory figures regarding transfer to juvenile court. History, age, ect. Type of action-adult or juvenile type of activity.
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Decision: Offense for which juvenile should be charged.

Formal Determining Factors A. Elements of crime most closely, primarily related to actions of juveniles.	Informal Determining Factors A. Officer, victim input. Malicious intent of victim, harm caused, criminal history, alcohol/drug use, family/school/social/medical issues impacting juvenile behavior.
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System Point: Pre-Adjudication Detention

Party Responsible: Juvenile Court Judge

Statute Reference: NRS 43-253 (2)

Decision: Whether juvenile detained at the time of citation/arrest should continue in detention or out-of-home placement pending adjudication.

Options:

1. Parents/Guardians
2. Emergency Shelters
3. Staff Secure Facility
4. Secure Detention Facility
5. Electronic Monitoring

Formal Determining Factors A. Whether there is an "immediate and urgent necessity for the protection of the juvenile" B. Whether there is an "immediate and urgent necessity for the protection of the person or property of another" C. Whether juvenile is likely to flee the jurisdiction of the Court.	Informal Determining Factors A. Any and all plus others. Each case brings it's own facts upon which the court must consider and decide.
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System Point: Probable Cause Hearing
Party Responsible: Juvenile Court Judge
Statute Reference: NRS 43-256

Decision: Whether state can show that probable cause exists that juvenile is within the jurisdiction of the court.

Notes: Depends upon the evidence presented and the findings of the facts.

System Point: Competency Evaluation
Party Responsible: Juvenile Court Judge
Statute Reference: NRS 43-258 (1(b))

Decision: Whether a juvenile is competent to participate in the proceedings.

Notes: Depends on the facts of the case.

Decision: Whether juvenile is “responsible” for his/her acts.
NRS 43-258 (1(c) and (2))

Formal Determining Factors	Informal Determining Factors
A. Physician, Surgeon, Psychiatrist, Community Health Program, Psychologist. B. “Complete evaluation of the juvenile including any authorized area of inquiry requested by court.”	Depends on the facts of the case.

System Point: Adjudication
Party Responsible: Juvenile Court Judge
Statute Reference: NRS 43-279 (2) and (3)

Decision: Whether the juvenile is, beyond reasonable doubt, “a person described by section 43-247.”

Formal Determining Factors	Informal Determining Factors
A. Legal Sufficiency of evidence presented during adjudication hearing B. Whether juvenile admits the allegations of the petition (or, “pleads to the charges”)	Depends on the facts of the case.

Decision: Whether to order probation to conduct a pre-disposition investigation.

Notes: Depends on the facts of the case.

Decision: Whether to order OJS evaluation.

Notes: Depends on the facts of the case.

Decision: Whether to order a PDI or OJS Evaluation.

Formal Determining Factors:

- A. Presumably supplement each other
- B. Uncertainty about whether probation or commitment to OJS is in the juveniles best interest.

Notes: Depends on the facts of the case.

System Point: Disposition

Party Responsible: Juvenile Court Judge

Statute Reference: NRS 43-286

Decision: Whether to place juvenile on probation.

Notes: Depends on the facts of the case.

Decision: Whether to commit such juvenile to the Office of Juvenile Services.

Notes: Depends on the facts of the case.

Decision: Whether to place juvenile on probation and commit juvenile to HHS or OJS.

Formal Determining Factor A. No apparent authority for delinquent in the legal custody of parents/guardian.	Informal Determining Factors A. Gives probation responsibility of supervision, but opens access to HHS/OJS funds for treatment or rehabilitation.
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Notes: Depends on the facts of the case.

System Point: Administrative Sanctions

Party Responsible: Probation

Statute Reference: NRS 29-2266

Decision: Whether to impose administrative sanctions on a probationer.

<p>Formal Determining Factors</p> <ul style="list-style-type: none">A. Probation officers has reasonable cause to believe that probationer has committed or is about to commit a substance abuse violation or a non-criminal violationB. Substance Abuse violation refers to a positive test for drug or alcohol use, failure to report for such a test, or failure to comply with substance abuse evaluations or treatment.C. Non-Criminal violation means:<ul style="list-style-type: none">1. Moving Traffic violations2. Failure to report to his or her probation officer.3. Leaving the jurisdiction of the court or leaving the state without permission of the court or his or her probation officer4. Failure to work regularly or attend training school5. Failure to notify his or her probation officers of change of address or employment6. Frequenting places where controlled substances are illegally sold, used, distributed, or administered7. Failure to perform community service as directed8. Failure to pay fines, court costs, restitution, or any fees imposed.	<p>Informal Determining Factors</p> <ul style="list-style-type: none">A. If the defendant has tested positive for an illegal drug, failed to show up for a urine test and complying with the test. It is up to the discretion of the probation officer to impose an Administrative Sanctions Notice usually a probation officer attempted to go from least restrictive to most restrictive and then file a probation violation with the court.
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System Point: Modification/Revocation of Probation

Party Responsible: Juvenile Court Judge

Statute Reference: NRS 43-286 (4)(b)(v)

Notes: Depends on the facts of the case.

System Point: Setting Aside Adjudication

Party Responsible: Juvenile Court Judge

Statute Reference: NRS 43-2,104

Decision: Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment.

Formal Determining Factor	Informal Determining Factors
<ul style="list-style-type: none">A. Juveniles post-adjudication behavior and response to treatment and rehabilitation programs.B. Whether setting aside adjudication will depreciate seriousness of juvenile's conduct or promote disrespect for lawC. Whether failure to set aside adjudication may result in disabilities disproportionate to the conduct upon which the adjudication was based.	

Notes: Depends on the facts of the case.

Decision: Whether juvenile should be discharged from the custody and supervision of OJS.

Formal Determining Factors:

- A. Presumably same as those for probation.

Notes: Depends on the facts of the case.

The Juvenile Justice Analysis Tool remains unchanged since the update in May of 2006. The process, clarification and updating remains the same as the prior grant process.

Community Socio-Economics

Thurston County is located in Northeast Nebraska. Thurston County has 396 square miles of which 394 square miles of it is land and 2 square miles of it is water. The population

for Thurston County is 7,171, with 2,255 households and 1,725 families in the county. The population density is 18 people per square mile. There are 2,467 housing units at an average density of 6 per square mile. The racial makeup of the county was 45.77% is white, .15% is Black or African American, 52.03% is Native American, .06% is Asian, .77% from other races, and 1.23% from two or more races. 2.43% of the population is Hispanic or Latino of any race and 25.9% are German Ancestry. The county population is spread out with 36.80% under the age of 18, 8.30% from 18 to 24, 23.90% from 25 to 44, 17.70% from 45 to 64, and 13.20% 65 years of age or older.

The County seat for Thurston County is Pender, in which is also the largest community in the County. Thurston County consist of seven communities Macy, Winnebago, Walthill, Pender, Rosalie, Thurston, and a corner of Emerson, and eleven townships. All in which are governed by seven board of supervisors. Thurston County is also adjacent to seven other counties. The Nebraska Counties are: Dakota, Burt, Cuming, Wayne, and Dixon. The Iowa Counties are: Woodbury and Monona.

Thurston County was founded in 1865 and was named after US Senator John M Thurston. Thurston County also has two Indian Reservations. The Winnebago and the Omaha Reservation.

The economy in Thurston County is mostly known for our farming. We also have manufactures, and construction. We also have three medical clinics, two nursing homes and two hospitals in our County as well as four schools. The median income for a household in the county is \$28,170, an the median income for a family was \$30,893. The per capita income for the county was \$10,951.

Identified Priority Areas

With our first three year plan we identified our three top priorities were the use of alcohol, drug abuse, and bullying. Even though we feel we have been making progress in these areas we still feel we need to continue on and with these same areas and look for other options or programs as well as the programs we have in place to continue our journey in reaching out to the juveniles to show them other ways to enjoy their lives or deal with their problems than drinking alcohol, using drugs (including steroids), and bullying other people. We also have issues with adults providing and allowing their juveniles and other juveniles to take part in activities, such as having parties with alcohol with the juveniles. Because we do not receive exact numbers and data from the schools and villages it is difficult to maintain and forward precise data. An upward turn in juvenile contacts supports that there remains a problem concerning bullying, alcohol and drugs.

Strategies

Policy and Procedure: We find that there is still a need for a continued effort to decrease the use of alcohol and drugs in our youth groups throughout our communities. All parents will continue to be notified of their child's actions either by mail or in person.

We have implemented that adults encouraging the use of alcohol and drugs in their presence are accountable for their actions.

For bullying we have been using the internet and media aids to help train those involved with how to handle this and make it into a positive experience for all those involved. The Diversion Coordinator along with support from Law Enforcement and other agencies have implanted a stronger community outreach programs. There have also been a wider range of mentoring programs made available for the youths.

Program Development: We currently have an active mentoring program in place. We have also had success with the addition of our FAMILY fun nights. Our mentoring programs are held at a minimum of once a month in each community in Thurston County in accordance with support from those communities. In the summer months participation in parades and fairs takes place and all those in the programs are encouraged to join in. All of this is based on support from the communities with some choosing not to take part.

Program Expansion: We have looked into expanding into a wider range of activities for the youths that are involved, however this is a slower process than anticipated. While we have made much progress we still find there remains reluctance in some communities to become involved. Most business in the County know and understand the program and are willing to help out.

The schools have become more active in the County often time seeking out the coordinator seeking advice or offering help.

Resources Needed: Time always seems to be the most valuable resource that we need, but the need for better and continued funding is also a major concern. Along with these there is always the need for increased manpower. It is felt that with these three most valuable resources that we could provide a continually evolving program and very positive and enjoyable experience for all those involved.

Priority #1: Use of alcohol among youth

Strategies	Stakeholders	Timeline	Resources	Expected Results
Strength our mentoring programs to include alcohol awareness among youths.	Thurston County Diversion Program Law Enforcement County Attorney	On Going	Volunteer support from all stakeholders	A decrease in alcohol use among the youth in the county.
Continued support to those that have been in the program	Thurston County Diversion Program Law Enforcement County Attorney	On Going	Diversion Program members and Law Enforcement	Those involved will be a positive influence on their peers
Increase parents support and education	Thurston County Diversion Program Law Enforcement County Attorney Parents	On Going	Diversion Program members Law Enforcement Parents	A better bond and awareness for those parents and individuals involved to successfully teach the youth responsibility
Increased Community Awareness	Thurston County Diversion Program Law Enforcement County Attorney Parents	On Going	Diversion Program members Law Enforcement Parents	A greater community participation

Priority #2: Drug Abuse

Strategies	Stakeholders	Timeline	Resources	Expected Results
To use the Mentoring Programs to help educate on drug abuse with an emphasis on steroids	Thurston County Diversion Program Law Enforcement County Attorney	On Going	Diversion Program members Law Enforcement Parents	Decrease with the eventual termination of steroid use
Increase the awareness level of the youth toward other drugs and their abuse	Thurston County Diversion Program Law Enforcement	On Going	Diversion Program members Law Enforcement Parents	Giving the youths the knowledge and understanding of the ill effects of drug use
Provide a resource for youths to rely on for positive guidance	Thurston County Diversion Program Law Enforcement Parents Schools	On Going	Diversion Program members Law Enforcement Parents Schools	Let the youths understand that they can turn to outside people for help and understanding as well as guidance

Priority #3: Bullying

Strategies	Stakeholders	Timeline	Resources	Expected Results
To educate the youth of the consequences of bullying	Thurston County Diversion Program Law Enforcement Parents Schools	On Going	Diversion Program members Law Enforcement Parents Schools	Make the youth aware that there are severe consequences for their actions
Make the community aware of the bullying problem	Thurston County Diversion Program Law Enforcement Parents Schools	On Going	Diversion Program members Law Enforcement Parents Schools	Increase the community awareness and involvement in curbing the bullying problems
Increase self esteem among the youth	Thurston County Diversion Program Law Enforcement Parents Schools	On Going	Diversion Program members Law Enforcement Parents Schools	Help the youth gain a more positive outlook and attitude toward themselves and others
To educate the parents and youth that bullying is not okay or accepted	Thurston County Diversion Program Law Enforcement Parents Schools	On Going	Diversion Program members Law Enforcement Parents Schools	To dispel the notion that some bullying is accepted or okay and that it is not an accepted way of life.

Accomplishments from the implementation of our strategies from our last plan is the mentoring program is a success. Problems with the strategies from our last plan is keeping the adults interested and involved. This is a excellent program, but it requires the time of more than one person to make it successful. That is why we requested to hire a Diversion Coordinator assistant. Even with the assistant we still need the adults and law enforcement to stay active with the program. With the events we have had this summer we have had excellent support from our law enforcement and have a commitment from them to continue on supporting the program by staying involved with the program.